

ROB BONTA  
 Attorney General of California  
 ROHIT KODICAL  
 Supervising Deputy Attorney General  
 KYMBERLY E. SPEER  
 Deputy Attorney General  
 State Bar No. 121703  
 JESSICA DOKER  
 Deputy Attorney General  
 State Bar No. 339009  
 1515 Clay Street, 20th Floor  
 P.O. Box 70550  
 Oakland, CA 94612-0550  
 Telephone: (510) 879-0985  
 Fax: (510) 622-2270  
 E-mail: [KyMBERly.Speer@doj.ca.gov](mailto:KyMBERly.Speer@doj.ca.gov)  
 E-mail: [Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)

*Attorneys for Defendant State of California,  
 appearing by and through its California Highway Patrol,  
 and Michael Griffin and Moises Cornejo-Mercado*

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

**ESTATE OF CHARLES CHIVRELL; et al,**  
 Plaintiffs,  
 v.  
**CITY OF ARCATA; et al,**  
 Defendants.

4:22-cv-00019 HSG

**ADMINISTRATIVE MOTION TO  
 ADVANCE HEARING ON MOTION TO  
 MODIFY THE SCHEDULING ORDER  
 AND FOR TRIAL CONTINUANCE ; ORDER**  
 (as modified)

**A.C., C.C., D.C., T.C.,**  
 Plaintiffs,  
 v.  
**CITY OF ARCATA, et al.,**  
 Defendants.

4:22-cv-04804-HSG

Action Filed: August 22, 2022

Pursuant to Northern District Local Rule 7-11, Defendant State of California by and through its California Highway Patrol, Michael Griffin and Moises Cornejo-Mercado (the CHP Defendants), so move this Court for an administrative order advancing the hearing date on the CHP Defendants' Motion to Modify the Scheduling Order to continue the trial date (ECF No. 188 and 112) from December 4, 2025, to October 9, 2025.

Trial is currently set to begin December 15, 2025, 11 days after the hearing on the Motion to Modify the Scheduling Order and continue the trial date. The grounds for this administrative motion are that the Motion for Clarification is scheduled for October 9, 2025. Having the two motions heard together, rather than in two hearings separated by nearly two months, will promote judicial economy, as both relate to the upcoming trial, and both can be resolved at the earliest possible date.

Dated: October 2, 2025

ROB BONTA  
Attorney General of California  
Rohit S. Kodical  
Supervising Deputy Attorney General

*Jessica R. Docker*

Jessica R. Docker  
Kymberly E. Speer  
Deputy Attorney General  
*Attorneys for Defendant State of California  
appearing by and through its California Highway Patrol,  
and Michael Griffin*

**DECLARATION OF JESSICA R. DOKER**

I, Jessica R. Doker, declare:

1. I am a Deputy Attorney General with the California Department of Justice, counsel of record for Defendants State of California, appearing by and through its California Highway Patrol, Michael Griffin, and Moises Cornejo-Mercado. I have personal knowledge of the matters stated in this declaration and would and could competently testify to them if called to do so.

2. On September 30, 2025, the parties received a notice from the Court's clerk advancing the hearing on the Motion for Clarification from November 13, 2025, to October 9, 2025. ECF No. 187.

3. On September 30, 2025, we filed a Notice of Motion and Motion to Modify the Scheduling Order to continue the trial date. ECF No. 188 and 112. The hearing on the Motion to Modify the Scheduling Order is currently set for December 4, 2025.

4. On October 1, 2025, I sent all counsel an email asking that the parties stipulate to advancing the hearing date from December 4, 2025, to October 9, 2025 regarding the Motion to Modify the Scheduling Order and continue the trial date. A true and correct copy of my email is attached as Exhibit 1.

5. Counsel for the *A.C.* plaintiffs, Heidi Holmquist Wells, responded that she was "fine with the stipulation to advance the date for the motion to continue." A copy of Ms. Wells's email is attached as Exhibit 2.

6. Counsel for the Arcata Defendants responded that they "are also fine with the stipulation." A copy of the Arcata Defendants' email is attached as Exhibit 3.

7. I did not receive a response from counsel for plaintiffs in Chivrell, though I sent a follow up email on October 2, 2025 (attached as Exhibit 4) asking for their response to the stipulation to advance the hearing date.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on October 2, 2025.

\_\_\_\_\_  
/s/ Jessica R. Doker  
Jessica R. Doker

# EXHIBIT 1



**From:** [Jessica Doker](#)  
**To:** ["Heidi Holmquist Wells"; Kymberly Speer](#)  
**Cc:** [Mark Merin](#); [Paul Masuhara](#); [Patrick Moriarty](#); [John Robinson](#); [Kelly Karpenske](#); [Rohit Kodical](#)  
**Subject:** RE: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order  
**Date:** Wednesday, October 1, 2025 11:00:43 AM  
**Attachments:** [Stipulation to Shorten Time.docx](#)  
[image001.png](#)

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Counsel:

Attached is a draft stipulation to advance the hearing from December 4 to October 9 regarding the motion to modify the scheduling order. Please let me know by close of business today if you agree and if we can use your e-signature.

Thank you.

Jessica R. Doker  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate Ave, Ste 11000  
San Francisco, CA 94102  
Phone: (415) 510-3455  
Fax: (415) 703-5480  
Email: [jessica.doker@doj.ca.gov](mailto:jessica.doker@doj.ca.gov)

---

**From:** Heidi Holmquist Wells <[hhwells@zwerdlinglaw.com](mailto:hhwells@zwerdlinglaw.com)>  
**Sent:** Tuesday, September 23, 2025 4:40 PM  
**To:** Kymberly Speer <[Kymberly.Speer@doj.ca.gov](mailto:Kymberly.Speer@doj.ca.gov)>  
**Cc:** Mark Merin <[mark@markmerin.com](mailto:mark@markmerin.com)>; Paul Masuhara <[paul@markmerin.com](mailto:paul@markmerin.com)>; Patrick Moriarty <[pmoriarty@cmtrlaw.com](mailto:pmoriarty@cmtrlaw.com)>; John Robinson <[jrobinson@cmtrlaw.com](mailto:jrobinson@cmtrlaw.com)>; Kelly Karpenske <[kkarpenske@cmtrlaw.com](mailto:kkarpenske@cmtrlaw.com)>; Rohit Kodical <[Rohit.Kodical@doj.ca.gov](mailto:Rohit.Kodical@doj.ca.gov)>; Jessica Doker <[Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)>  
**Subject:** Re: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order

**EXTERNAL EMAIL:** This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Dear Kym,

I will submit on the issue unless Mark/Paul have strong feelings. However, if the trial date is continued, I would imagine it makes sense to continue the pre-trial submissions to the court to coincide with any new date.

Very truly yours,  
Heidi Wells

# EXHIBIT 2

**From:** [Heidi Holmquist Wells](#)  
**To:** [Jessica Doker](#)  
**Cc:** [Kymberly Speer](#); [Mark Merin](#); [Paul Masuhara](#); [Patrick Moriarty](#); [John Robinson](#); [Kelly Karpenske](#); [Rohit Kodical](#)  
**Subject:** Re: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order  
**Date:** Thursday, October 2, 2025 10:18:40 AM  
**Attachments:** [image001.png](#)

**EXTERNAL EMAIL:** This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Apologies for not getting back yesterday. I am fine with the stipulation to advance the date for the motion to continue and you may affix my signature.

On Wed, Oct 1, 2025 at 11:01 AM Jessica Doker <[Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)> wrote:

Counsel:

Attached is a draft stipulation to advance the hearing from December 4 to October 9 regarding the motion to modify the scheduling order. Please let me know by close of business today if you agree and if we can use your e-signature.

Thank you.

Jessica R. Doker  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate Ave, Ste 11000

San Francisco, CA 94102  
Phone: (415) 510-3455  
Fax: (415) 703-5480  
Email: [jessica.doker@doj.ca.gov](mailto:jessica.doker@doj.ca.gov)

---

**From:** Heidi Holmquist Wells <[hhwells@zwerdlinglaw.com](mailto:hhwells@zwerdlinglaw.com)>  
**Sent:** Tuesday, September 23, 2025 4:40 PM  
**To:** Kymberly Speer <[Kymberly.Speer@doj.ca.gov](mailto:Kymberly.Speer@doj.ca.gov)>  
**Cc:** Mark Merin <[mark@markmerin.com](mailto:mark@markmerin.com)>; Paul Masuhara <[paul@markmerin.com](mailto:paul@markmerin.com)>; Patrick Moriarty <[pmoriarty@cmtrlaw.com](mailto:pmoriarty@cmtrlaw.com)>; John Robinson <[jrobinson@cmtrlaw.com](mailto:jrobinson@cmtrlaw.com)>; Kelly Karpenske <[kkarpenske@cmtrlaw.com](mailto:kkarpenske@cmtrlaw.com)>; Rohit Kodical <[Rohit.Kodical@doj.ca.gov](mailto:Rohit.Kodical@doj.ca.gov)>; Jessica Doker <[Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)>  
**Subject:** Re: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order

# EXHIBIT 3



**From:** [Kelly Karpenske](#)  
**To:** [Jessica Doker](#)  
**Cc:** [Heidi Holmquist Wells](#); [Kymberly Speer](#); [Mark Merin](#); [Paul Masuhara](#); [Patrick Moriarty](#); [John Robinson](#); [Rohit Kodical](#)  
**Subject:** Re: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order  
**Date:** Thursday, October 2, 2025 10:20:06 AM  
**Attachments:** [image001.png](#)

**EXTERNAL EMAIL:** This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Hi Jessica,

Arcata defendants are also fine with the stipulation. You can affix Patrick Moriarty's signature.

Thank you

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On Wed, Oct 1, 2025 at 11:00 AM Jessica Doker <[Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)> wrote:

Counsel:

Attached is a draft stipulation to advance the hearing from December 4 to October 9 regarding the motion to modify the scheduling order. Please let me know by close of business today if you agree and if we can use your e-signature.

Thank you.

Jessica R. Doker  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate Ave, Ste 11000

San Francisco, CA 94102  
Phone: (415) 510-3455

# EXHIBIT 4

**From:** [Jessica Doker](#)  
**To:** ["Kelly Karpenske"](#)  
**Cc:** [Heidi Holmquist Wells](#); [Kymberly Speer](#); [Mark Merin](#); [Paul Masuhara](#); [Patrick Moriarty](#); [John Robinson](#); [Rohit Kodical](#)  
**Subject:** RE: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order  
**Date:** Thursday, October 2, 2025 12:29:00 PM  
**Attachments:** [image001.png](#)

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Thanks all. Mark/Paul, could you please respond? Thanks.

Jessica R. Doker  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate Ave, Ste 11000  
San Francisco, CA 94102  
Phone: (415) 510-3455  
Fax: (415) 703-5480  
Email: [jessica.doker@doj.ca.gov](mailto:jessica.doker@doj.ca.gov)

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**From:** Kelly Karpenske <[kkarpenske@cmtrlaw.com](mailto:kkarpenske@cmtrlaw.com)>  
**Sent:** Thursday, October 2, 2025 10:20 AM  
**To:** Jessica Doker <[Jessica.Doker@doj.ca.gov](mailto:Jessica.Doker@doj.ca.gov)>  
**Cc:** Heidi Holmquist Wells <[hhwells@zwerdlinglaw.com](mailto:hhwells@zwerdlinglaw.com)>; Kymberly Speer <[Kymberly.Speer@doj.ca.gov](mailto:Kymberly.Speer@doj.ca.gov)>; Mark Merin <[mark@markmerin.com](mailto:mark@markmerin.com)>; Paul Masuhara <[paul@markmerin.com](mailto:paul@markmerin.com)>; Patrick Moriarty <[pmoriarty@cmtrlaw.com](mailto:pmoriarty@cmtrlaw.com)>; John Robinson <[jrobinson@cmtrlaw.com](mailto:jrobinson@cmtrlaw.com)>; Rohit Kodical <[Rohit.Kodical@doj.ca.gov](mailto:Rohit.Kodical@doj.ca.gov)>  
**Subject:** Re: Chivrell/A.C. v. Arcata - Request for stipulation to revise Scheduling Order

**EXTERNAL EMAIL:** This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Hi Jessica,

Arcata defendants are also fine with the stipulation. You can affix Patrick Moriarty's signature.

Thank you

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**ORDER**

Good cause appearing therefor, IT IS SO ORDERED the hearings scheduled for December 4, 2025 are hereby advanced from October 9, 2025, at 2:00 p.m.

Dated: 10/3/2025

  
HON. HAYWOOD S. GILLIAM, JR.